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EXAMINER	
CASCA, FRED A	

ART UNIT	PAPER NUMBER
2687	

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/788,429	LEE, SUN-DONG	
	Examiner	Art Unit	
	Fred A. Casca	2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-22 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-22 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 24 February 2004 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 8, 10-13, 15-19, and 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Nguyen (U.S. Pub. No. 2002/0111167 A1).

Referring to claim 8, Nguyen discloses a wireless communication system (abstract), comprising base station for receiving an incoming message from a calling mobile communication terminal (Figure 1-2, and paragraphs 16-19, 21, and 23, "BS-2, "calling MS", "BS-1"); and a mobile switching center for receiving the incoming message from the base station (Figure 1-2, and paragraphs 16-19, 21, and 23, "MSC-2", "MSC-2") and transmitting base alarm information to a messenger service system (paragraph 7, and 8-10, "message center", "the MC then sends a Short Message Service (SMS)", "notification", "SMS", "Data Waiting Indicator", note that an SMS is inherently sent through a messenger service system).

Referring to claim 10, Nguyen disclose the wireless communication system of claim 8, wherein the mobile switching center temporarily stores the base alarm information when the base alarm information is not able to be transmitted to the messenger service system (figures 1-2, and paragraphs 21-23).

Referring to claim 11, Nguyen discloses a messenger service system (abstract, and paragraph 10), comprising a messenger server for transmitting to a called mobile communication terminal incoming message alarming information indicating arrival of an incoming message transmitted from a calling mobile communication terminal (paragraph 7-10, "message center", "the MC then sends a Short Message Service (SMS)", "notification", "SMS", "Data Waiting Indicator", note that an SMS is inherently sent through a messenger service system);and a messenger information database for storing an address and a messenger ID of the called subscriber (Figure 2, "HLR", "MSC-1", "MSC-2", note that the HLR is a database and it serves as the messenger information database where it has the ID of the called subscribers of its network), wherein the messenger server informs the called subscriber of the incoming message's arrival by using the IP address (paragraphs 7-10, and 19, 23"message center", "the MC then sends a Short Message Service (SMS)", "notification", "SMS", "Data Waiting Indicator", note the called subscriber is notified via SMS, and SMS uses the IP (Internet Protocol) addresses in order to get to the designated address).

Referring claim 12, Nguyen disclose the messenger service system of claim 11, wherein the messenger server transmits the incoming message alarming information through internet to the called subscriber who has logged in a messenger service (Figure 2, and paragraphs 21-23, "IP NETWORK").

Referring to claim 13, Nguyen discloses the messenger service system of claim 11, wherein the messenger server temporarily stores the incoming message alarming information

when the incoming message alarming information is not able to be transmitted to the called subscriber (paragraphs 7-10, and 21-23).

Referring to claim 15, Nguyen discloses a messenger service system (abstract), comprising a messenger server (paragraphs 7-10, 16, and 23, "HLR") for transmitting to a called mobile communication terminal incoming message alarming information indicating arrival of an incoming message transmitted from a calling mobile communication terminal (paragraph 7-10, "message center", "the MC then sends a Short Message Service (SMS)", "notification", "SMS") and wherein the messenger server comprises a messenger information database for storing an IP address and a messenger ID of the called subscriber (paragraphs 7-10, 16, and 23, "HLR", note that the HLR include a database comprising the ID and IP address of subscribers in its network).

Referring to claim 16, Nguyen discloses the messenger service system of claim 15, wherein the messenger server transmits the incoming message alarming information through internet to the called subscriber who has logged in a messenger service (Figure 2 and paragraphs 21-23, IP NETWORK).

Referring to claim 17, Nguyen discloses the messenger service system of claim 15, wherein the messenger server temporarily stores the incoming message alarming information when the incoming message alarming information is not able to be transmitted to the called subscriber (paragraphs 7-10, and 21-23).

Referring to claim 18, Nguyen discloses a method for alarming an incoming message of a mobile communication terminal (abstract), comprising transmitting base alarm information including an identification of a called mobile communication terminal (paragraph 7-10, "message center", "the MC then sends a Short Message Service (SMS)", "notification", "SMS", note that the called party is alarmed, hence identifying the information of a called mobile is included so that the notification is transmitted); receiving the base alarm information and searching an IP address corresponding to the identification of the called mobile communication terminal (paragraph 7-10, 0016, and 0023, "HLR", "notification", note the called subscriber is notified, hence it is inherent that the base alarm is received and the IP address of the called mobile is searched and found so that the notification is transmitted); and alarming arrival of the incoming message to a called subscriber by using the searched IP address through messenger service (paragraph 7-10, 0016, and 0023, "HLR", "notification", note that the alarm (notification) was sent, inherently though the messenger server (HLR), and inherently by using the searched and found IP address).

Referring to claim 19, Nguyen disclose the method of claim 18, wherein said transmitting base alarm information comprises receiving an incoming message from a calling mobile communication terminal; checking whether or not the called subscriber an incoming message alarming service subscriber; if the called subscriber is an incoming message alarming service subscriber, checking whether or not the incoming message alarming service has been activated;

and if the incoming message alarming service has been activated, transmitting the base alarm information (paragraphs 7-10, and 21-24).

Referring to claim 21, Nguyen discloses the method of claim 19, wherein said transmitting base alarm information further comprises if the incoming message alarming service has not been activated, temporarily storing the base alarm information until the incoming message alarming service is activated; and when the incoming message alarming service is activated, transmitting the base alarm information (paragraphs 7-10, and 21-23).

Referring to claim 22, Nguyen discloses the method of claim 20, wherein said alarming arrival of the incoming message a called subscriber further comprises if the incoming message alarming service has not been activated, temporarily storing the incoming message alarming information until the incoming message alarming service is activated; and when the incoming message alarming service is activated, transmitting the incoming message alarming information to the personal computer (paragraphs 7-10, and 21-23).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-4, 6, 9, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen (U.S. Pub. No. 2002/0111167 A1), in view of Troen-Krasnow et al (U.S. Patent No. 6,493,431 B1).

Referring to claim 1, Nguyen discloses an incoming message alarming system (abstract), comprising a wireless communication system for receiving an incoming message from a calling mobile communication terminal and transmitting base alarm information (paragraphs 7, "calling party", "MS", "HLR") and a messenger service system for receiving the base alarm information from the wireless communication system (paragraph 7, 8, "message center", the MC then sends a Short Message Service (SMS)", note that a messenger service is inherent since SMS call notifications are sent) and informing a called subscriber of arrival of the incoming message through a messenger service (paragraphs 8-10, "notification", "SMS", "Data Waiting Indicator").

Nguyen does not specifically disclose transmitting base alarm information including **an identification of the calling mobile communication terminal.**

In the same field of endeavor, Troen-Krasnow discloses communication server facilitating notifying the called party of an incoming call, where identification of the calling mobile communication terminal is determined (abstract, col. 1, line 60 through col. 2, line 2, and col. 6, lines 22-50, "server 180 then identifies the calling party based on the calling party's telephone number").

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Nguyen by incorporating the teachings of Troen-Krasnow, and providing a caller identification feature for the system of Nguyen, motivation being for the

purpose of allowing the called party to make the decision of responding to the incoming call based on the identification of the calling party, and consequently preventing unwanted calls.

Referring to claim 2, the combination of Nguyen and Troen-Krasnow disclose the incoming message alarming system of claim 1, and further disclose the wireless communication system comprises a base station for receiving the incoming message from the calling mobile communication terminal, a mobile switching center for receiving the incoming message from the base station and transmitting the base alarm information to a messenger service system, and a home location register for storing location information of the called subscriber, subscriber information on whether or not the called subscriber is an incoming message alarming service subscriber, and flag information indicating an activation state of the incoming message alarming service (Nguyen, figure 2, and paragraphs 21-23, "BS-1", "BS-2", "MSC-1", "MSC-2", "HLR", note that the subscriber is informed of the messages, hence a flag is inherently indicating the activation state of the incoming call), and wherein the messenger service system comprises a messenger server for receiving the base alarm information from the wireless communication system and transmitting incoming message alarming information indicating arrival of the incoming message to the called mobile communication terminal, and a messenger information database for storing an internet protocol (IP) address and a messenger identification (ID) of the called subscriber, wherein the messenger server informs the called subscriber of the incoming message's arrival by using the IP address (Nguyen, figures 1-2, and paragraphs 8-10, and 21-23, "notification", "SMS", "Data Waiting Indicator"). "HLR", note that the HLR inherently

comprises the database where the database has IP information about the subscribers in its domain).

Referring to claim 3, the combination of Nguyen/Troen-Krasnow disclose the incoming message alarming system of claim 1, and further disclose the messenger service system comprises a messenger server for receiving the base alarm information from the wireless communication system and transmitting incoming message alarming information indicating arrival of the incoming message to the called mobile communication terminal, and wherein the messenger server comprises a messenger information database for storing an IP address and a messenger ID of the called subscriber (Nguyen, figures 1-2, and paragraphs 8-10, and 21-23, "notification", "SMS", "Data Waiting Indicator"), note that the HLR inherently comprises the database where the database has IP information about the subscribers in its domain).

Referring to claim 4, the combination of Nguyen/Troen-Krasnow disclose the incoming message alarming system of claim 2, and further disclose the messenger server asks the called subscriber whether to use the incoming message service and stores resultant information on whether to use the incoming message service ("use information") the messenger information database (Nguyen, figures 1-2, and paragraphs 8-10, and 21-23).

Referring to claim 6, the combination of Nguyen/Troen-Krasnow disclose the incoming message alarming system of claim 5, and further disclose the messenger server transmits the

incoming message alarming information to the called subscriber, with reference to the flag information, when the incoming message alarming service has been activated (Nguyen, figures 1-2, and paragraphs 8-10, and 21-23)

Referring to claim 9, Nguyen discloses the wireless communication system of claim 8.

Nguyen does not disclose the base alarm information is at least one of identifications of a calling mobile communication terminal sending the incoming message and the called mobile communication terminal, if the incoming message is a call, and is at least one of identifications of a calling mobile communication terminal and the called mobile communication terminal, and the content of a short message, the incoming message is the short message.

In the same field of endeavor, Troen-Krasnow discloses communication server facilitating notifying the called party of an incoming call, where identification of the calling mobile communication terminal is determined (abstract, col. 1, line 60 through col. 2, line 2, and col. 6, lines 22-50, "server 180 then identifies the calling party based on the calling party's telephone number").

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Nguyen by incorporating the teachings of Troen-Krasnow into that of Nguyen, motivation being for the purpose of allowing the called party to make the decision of responding to the incoming call based on the identification of the calling party, and consequently preventing unwanted calls.

Referring to claim 14, Nguyen discloses the messenger service system of claim 11.

Nguyen does not disclose the incoming message alarming information is at least one of an identification of a calling mobile communication terminal sending the incoming message and information indicating the incoming message's arrival, if the incoming message is a call, and is at least one of an identification of the calling mobile communication terminal and the content of a short message, the incoming message is the short message.

In the same field of endeavor, Troen-Krasnow discloses communication server facilitating notifying the called party of an incoming call, where identification of the calling mobile communication terminal is determined (abstract, col. 1, line 60 through col. 2, line 2, and col. 6, lines 22-50, "server 180 then identifies the calling party based on the calling party's telephone number").

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Nguyen by incorporating the teachings of Troen-Krasnow into that of Nguyen, motivation being for the purpose of allowing the called party to make the decision of responding to the incoming call based on the identification of the calling party, and consequently preventing unwanted calls.

5. Claims 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen (U.S. Pub. No. 2002/0111167 A1), in view of Troen-Krasnow et al (U.S. Patent No. 6,493,431 B1), and further in view of Best (U.S. Pub. No. 2005/0097142 A1).

Referring to claim 5, the combination of Nguyen/Troen-Krasnow disclose the incoming message alarming system of claim 4.

The combination of Nguyen/Troen-Krasnow does not disclose the flag information is updated by the use information.

Best disclose teaches a method and apparatus for increasing efficiency of data storage, where a flag is updated to show user data has been inlined (paragraph 44).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate the teachings of Best into that of Nguyen/Troen-Krasnow because it allow automatic updating of flags prompted by the user.

Referring to claim 7, the combination of Nguyen/Troen-Krasnow/Best disclose the incoming message alarming system of claim 5, and further disclose the messenger server temporarily stores the incoming message alarming information, with reference to the flag information, when the incoming message alarming service has not been activated (Nguyen, figures 1-2, and paragraphs 21-23).

6. Claim 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen (U.S. Pub. No. 2002/0111167 A1), in view of Ogata (U.S. Pub. No. 2001/0043259 A1).

Referring to claim 20, Nguyen discloses the method of claim 18, wherein the alarming arrival of the incoming message to a called subscriber comprises checking whether or not the called subscriber has logged in the messenger service; if the called subscriber has logged in the messenger service, checking whether or not the called subscriber wants to use the incoming message alarming service; if the called subscriber wants to use the incoming message alarming service (figure 1-2, and paragraphs 21-23).

Nguyen does not specifically disclose transmitting the incoming message alarming information to a personal computer, which the called subscriber has logged in; and creating an incoming message alarming window indicating the incoming message's arrival.

Ogata teaches an alarming system, which provides displaying an alarming message information to a computer (paragraph 70, "computer and also serves to display alarming message").

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the method of Nguyen by incorporating the teachings of Ogata into that of Nguyen, and allow the method of Nguyen to transmit the incoming message alarming information to a personal computer, which the called subscriber has logged in, and creating an incoming message alarming window indicating the incoming message's arrival, because it enable the user to be alerted via his personal computer about important messages sent to him, and consequently prevent missing important messages.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Osterhout et al., U.S. Pub. No. 52002/0187777 A1, discloses a mobile telephone apparatus with call management system.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred A. Casca whose telephone number is (571) 272-7918. The examiner can normally be reached on Monday through Friday from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid, can be reached at (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER